REMARKS

Administrative Overview

Initially, claims 1–33 were presented for examination. Claims 1, 3–14, 16, 18, 27, and 29 have been amended. Claims 22–26 are cancelled. Upon entry of this paper, claims 1–21 and 27–33 will be pending in this application.

The instant Office Action was mailed on April 10, 2003. The Office Action rejected claims 1–33 under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,301,609 to Aravamudan et al. (hereinafter "*Aravamudan*"). Claims 1–33 were also rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 5,630,757 to Gagin et al. (hereinafter "*Gagin*").

The Applicant respectfully traverses these rejections and requests reconsideration of the claims in light of the arguments below. Each of the outstanding rejections is addressed in the order in which they appear in the Office Action. Basis for the amendments to claims 1, 3–14, 16, 18, 27, and 29 may be found at least, for example, in the specification at pages 10–13. The Applicant submits that no new matter has been introduced by these amendments.

The Claims, as Amended, are Patentable over *Aravamudan* and *Gagin*

Claims 1–33 were rejected under 35 U.S.C. § 102(e) as anticipated by *Aravamudan*. Claims 1–33 were also rejected under 35 U.S.C. § 102(b) as anticipated by *Gagin*. According to MPEP § 2131, a claim is anticipated only if each and every element set forth in the claim is found in a single prior art reference. The Applicant respectfully submits that neither *Aravamudan* nor *Gagin* meets this exacting standard as applied to independent claims 1, 14, and 27, as amended, and claims 2–13, 15–21, and 28–33, which depend therefrom, and hereby traverses these rejections.

In brief overview, *Aravamudan* describes a unified messaging platform that "locate[s] a registered user, quer[ies] the registered user for a proposed message disposition, and coordinates services among a plurality of communication devices, modes, and channels." *Aravamudan* at Abstract. A user "initially logs onto the network utilizing one of user's [sic] client premises equipment (CPE) devices." Id. at col. 7, ln. 1–3. The CPE device "monitors for user interaction

with a user interface of the CPE device" through, e.g., "detecting when a user is actively typing on a keyboard, or via a motion detector," and "relays changes in state with the server." Id. at col. 7, ln. 49–55. Then, when an important event is received and the user is off-line, "the CSP determines an alternate disposition for the initiating important event," such as attempting "to locate the user via registered CPE devices which are online, but which show no current user activity." Id. at col. 8, ln. 56–65.

The *Gagin* reference describes a multi-user game playing environment "which provides game playing services to cable television subscribers over existing cable networks." *Gagin* at Abstract. In this environment, "[t]he activity of every user is monitored and if a client or user is inactive for a preset period of time..., the client/user will be purged from the system as a time out situation." See id. at col. 20, ln. 33–39.

Amended claim 1 recites, in part:

> allocating at least one resource on a server to the provision of a
> service to a user of a client; . . .
>
> transmitting from said client a notification of change in activity
> level to said server; and
>
> reversibly reducing said at least one allocated resource on said
> server in response to said notification.

Amended claim 14 recites, in part:

> wherein said activity monitor detects a level of activity of a user on
> said client and, in response to a change in said level of activity,
> transmits over said communication link a notification of change of
> activity to said server; and
>
> wherein said resource manager, in response to said notification,
> reversibly reduces at least one allocated resource associated with
> said client.

Amended claim 27 recites, in part:

> wherein said resource manager, in response to a notification of
> change of activity from an external client received over the
> communication link, reversibly reduces at least one server resource
> allocated to said external client.

The Applicant respectfully submits that neither *Aravamudan* nor *Gagin*, alone or in combination, teaches or suggests at least these claim limitations.
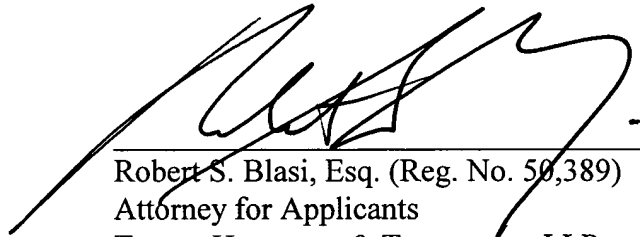
Aravamudan delivers important events in response to changes in a user's status, but *Aravamudan* does not teach or suggest reversibly reducing an amount of resources allocated in response, for example, to a notification of a change in a user's level of activity. *Gagin* does not cure this deficiency. *Gagin* terminates a user process that is inactive for a preset period of time, but does not reversibly reduce the amount of resources allocated.

For these reasons, the Applicants submit that *Aravamudan* and *Gagin*, by themselves or in proper combination, fail to teach or suggest all of the elements present in the Applicant's independent claims 1, 14, and 27. Therefore, the Applicants respectfully submit that independent claims 1, 14, and 27, and pending claims 2–13, 15–21, and 28–33, which depend therefrom, are patentable over *Aravamudan* and *Gagin*.

CONCLUSION

In light of the foregoing, the Applicants respectfully submit that all of the pending claims are now in condition for allowance. Accordingly, the Applicants respectfully request reconsideration, the withdrawal of all grounds of rejection, and the allowance of all pending claims in due course. If the Examiner believes that a telephone conversation with the Applicants' attorney would be helpful in expediting the allowance of this application, the Examiner is invited to call the undersigned.

Respectfully submitted,

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